

**IN THE DISTRICT COURT IN AND FOR OKLAHOMA COUNTY
STATE OF OKLAHOMA**

OKLAHOMA DEPARTMENT OF)
SECURITIES, *ex rel.* IRVING L.)
FAUGHT, Administrator,)

Plaintiff,)

vs.)

Case No. CJ-2007-5605

AMERICAN LIBERTY INSURANCE &)
FINANCIAL SERVICES,)
an unincorporated entity; LIGHTHOUSE)
MARKETING INCORPORATED,)
an Oklahoma corporation; and TRAVIS)
RAY WINNETT, an individual,)

Respondent.)

**FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.**

AUG - 4 2010

PATRICIA PRESLEY, COURT CLERK

by _____

DEPUTY

PETITION TO VACATE

COMES NOW the Defendant, Travis Ray Winnett, and petitions this court to vacate the judgment and sentence entered in the above styled and numbered cause of action of December 11, 2009. In support of this request, the Defendant would show this court as follows:

1. The Order in the case was entered by default. The Defendant did not appear in court because he had been advised by his attorney at the time that it was not necessary for him to appear.

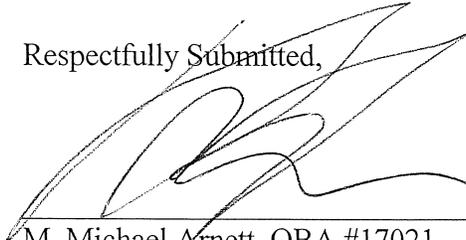
2. The Defendant believes in good faith that the payments required under the previously entered court order for May and June of 2009 were in fact made, contrary to evidence presented which lead to the entry of the subject December 11, 2009 Judgment and Sentence. Were it not for the advice of his previous counsel, the defendant would have been present to provide evidence of the payment at the December 11 hearing. The

defendant was advised that since the payments had been made, it was not necessary for him to appear on that date.

3. The Defendant contends that if he were given the opportunity to present the evidence of payments referenced above, the court would reach a different conclusion than the one set out in the December 11 order, and that in the interest of equity and justice, he should be given an opportunity to do so.

WHEREFORE, premises considered, the Defendant, Travis Ray Winnett, respectfully petitions this honorable court to vacate its order of December 11, 2009, recall the warrant for his arrest and any order committing him to the custody of the Oklahoma County Sheriff, and resetting this matter for a date certain to allow presentation of appropriate evidence in this case.

Respectfully Submitted,



M. Michael Arnett, OBA #17021

ARNETT LAW FIRM

3133 N.W. 63rd St.

Oklahoma City, Oklahoma 73116

Telephone: (405) 767-0522

Facsimile: (405) 767-0529

Attorney for Defendant, Travis Ray Winnett

VERIFICATION ATTACHED

NOTICE OF HEARING

Please take notice that the above and foregoing is set for hearing at 9am on the 1st day of October, 2010, before the Honorable Patricia G. Parrish, Judge of the District Court.

CERTIFICATE OF MAILING

This is to certify that on the _____ day of August, 2010, a true and correct copy of the above and foregoing document was mailed, postage prepaid, to the following:

Amanda Cornmesser
Oklahoma Department of Securities
120 N. Robinson, Suite 860
Oklahoma City, Oklahoma 73102



M. Michael Arnett

VERIFICATION

STATE OF OKLAHOMA)
)
COUNTY OF ^{4399210 or}OKLAHOMA) ss.
)

I, Travis Ray Winnett, being of lawful age, being first duly sworn upon oath, states:

That he is the individual above named; that he has read the foregoing document and understands the same; and the facts therein set forth are true and correct.



TRAVIS RAY WINNETT

SUBSCRIBED and SWORN to before me this ____ day of August, 2010.



NOTARY PUBLIC

My Commission Expires:

8/23/11

My Commission Number:

07008188

(Seal)

